

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

FILED
U.S. DISTRICT COURT
2009 MAR -5 P 2:40
DISTRICT OF UTAH

REV. EDWARD ALLEN BUCK,
Plaintiff,

vs.

STATE OF UTAH JUDICIAL CONDUCT
COMMISSION, et al.,
Defendants.

BY: DEPUTY CLERK
ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:08 CV 581 TC

The court referred this case to Chief Magistrate Judge David Nuffer pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). On February 17, 2009, Judge Nuffer, in a very thorough Report and Recommendation, recommended that Plaintiff's complaint be dismissed under 28 U.S.C. 1915(e)(2)(B)(i) and (ii). Judge Nuffer further recommended that Plaintiff's complaint be dismissed with prejudice because amending the complaint would not overcome the infirmities.

The parties were given ten days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. Plaintiff filed an objection on March 3, 2009¹.

¹(Dkt. 13)

The court has carefully reviewed the Report and Recommendation² in this matter and relevant materials in the file and agrees with the recommendation of the Magistrate Judge. The Report and Recommendation is adopted as the order of the court. Plaintiff's complaint is frivolous and fails to state a claim upon which relief may be granted. Accordingly, Plaintiff's complaint is dismissed. Further, because the infirmities of Plaintiff's complaint cannot be overcome by amending it, the complaint is dismissed with prejudice.

IT IS SO ORDERED THIS 5th day of March, 2009.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge

²(Dkt. 11)